



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, 31 दिसम्बर, 1973/10 पौष, 1895

GOVERNMENT OF HIMACHAL PRADESH

LOCAL SELF GOVERNMENT DEPARTMENT NOTIFICATION

Simla-2, the 13th December, 1973

No. 1-4/72-LSG.—In exercise of the powers conferred by section 27 of the Himachal Pradesh Urban Rent Control Act, 1971 (Act No. 23 of 1971), the Governor, Himachal Pradesh is pleased to make the following rules:—

RULES

THE HIMACHAL PRADESH URBAN RENT CONTROL RULES, 1973

These rules may be called the Himachal Pradesh Urban Rent Control Rules, 1973. Short title

2. (1) In these rules, unless there is anything repugnant in the subject or context,— Definitions

(a) “Act” means the Himachal Pradesh Urban Rent Control Act, 1971 (Act No. 23 of 1971);

(b) “form” means a form appended to these rules;

(c) “section” means a section of the Act;

(2) All other words and expressions used but not defined in these rules shall have the meanings, if any, assigned to them in the Act.

Application under sections 5, 6, 11 (2) or 14 (2) 3. Every application to the Controller under section 5, section 6, sub-section (2) of section 11 or sub-section (2) of section 14 shall be in form "A".

Application to the Controller to recover possession of accommodation. 4. An application by a landlord for recovery of possession under sub-section (3) of section 14 shall be in form "B"

Receipt of rent. 5. A receipt required to be given by the landlord or his authorised agent under sub-section (2) of section 17 in respect of rent paid for any premises shall be in form "C".

Deposit of rent. 6. (1) A deposit of rent under sub-section (1) of section 18 shall be made in cash and shall be accompanied by an application by the tenant in form "D".

(2) On such deposit being made, the Controller, shall send a copy or copies of the application accompanying the deposit, by registered post with acknowledgment due, at the cost of the applicant, to the landlord or persons claiming to be entitled to the rent with an endorsement of the date of the deposit.

Payment of rent deposited. 7. The Controller in accordance with sub-section (4) of section 18 shall order the amount of rent deposited to be paid to the landlord or persons entitled to the rent either in cash or by cheque.

Accounting of deposits. 8. Subject to the provisions of section 20, all sums deposited shall be treated as Civil Court deposits and accounted for and dealt with according to the rules of Civil Court deposits in force in Civil Courts in Himachal Pradesh.

Landlord and tenant to furnish particulars. 9. Under section 24 every landlord and every tenant of a building or rented land shall be bound to furnish to the Controller, or any person authorised by him in that behalf, such particulars in respect of such building or rented land as may be desired by the Controller.

Penalty 10. The Controller may direct that a breach or an abetment of a breach of the rules made under sub-section (1) of section 27, shall be punishable with fine which may extend to Rs. 500 and when the breach is a continuing one, with further fine which may extend to Rs. 1,000.

APPENDIX

FORM 'A'

(See rule 3)

Before.....Controller.

Name.....Petitioner.

Versus

Name..... Respondent.

Application for *determination of fair rent
increase of standard rent
eviction of tenant

Under section.....

- (1) Municipal No. of the premises and the name, if any.
- (2) Street and municipal ward or division in which the premises are situated.
- (3) (a) Name and address of the landlord.
(b) Name and address of the tenant/tenants.
- (4) Whether the premises are residential or non-residential.
- (5) In the case of residential premises, the number of persons occupying the same and in the case of non-residential premises, the purpose for which they are used and the number of employees, if any, working therein.
- (6) Whether any furniture is supplied by the landlord for use in the premises.
- (7) Details of fittings, if any, provided by the landlord.
- (8) Details of accommodation available together with particulars as regards ground area, garden and out houses, if any. (Plan to be attached).
- (9) Whether the premises are occupied by a single tenant or by more than one tenant.
- (10) Amenities available in regard to lighting, water, sanitation and the like.
- (11) Monthly rent together with details of house tax, electricity, water and other charges paid by the tenant.
- (12) (a) Date of completion of construction of the premises and the cost thereof;
(b) Whether completion report was obtained from the local authority and the date thereof.
- (13) Rateable value as entered in the last property assessment book of the Municipal Corporation, Municipal Committee/Notified Area Committee as the case may be.
- (14) Date on which the premises were let to the tenant and details of agreement, if any, with the landlord.
(Attested copy of the agreement to be attached).
(*Strike out whatever is inapplicable).

(15) Whether the rent of the premises has been fixed under the East Punjab Urban Rent Restriction Act, 1949 (3 of 1949), as amended from time to time as in force in the area comprised in Himachal Pradesh immediately before 1st November, 1966, or the East Punjab Urban Rent Restriction Act, 1949 (No. 3 of 1949) as amended from time to time in its application to the areas added to Himachal Pradesh under section 5 of the Punjab Reorganisation Act, 1966, (31 of 1966) or the Himachal Pradesh Urban Rent Control Act, 1971 (Act No. 23 of 1971); (and if so, the amount of such rent and the date from which it took effect.

*(16) Whether there are any sub-tenants and if so, the date of such sub-letting, accommodation sub-let, whether with or without the written consent of the landlord and the rent charged from sub-tenant.

** (17) Whether any additions or alterations have been made since the rent was fixed as stated under item No. 15; and if so, the date on which such additions or alterations were made, the cost of such additions or alterations and whether they were carried out with the approval of the tenant or of the Controller.

†(18) (a) The grounds on which the eviction of the tenant is sought.

(b) Whether notice required has been given; and if so, particulars thereof (copies of such notice and the tenant's reply, if any, should be furnished).

(19) Any other relevant information.

(20) Relief claimed.

(Verification)

Place:

Date:

.....

Signature of applicant/recognised agent.

*This information should be given in application for eviction due to unauthorised sub-letting.

** This information should be given in applications for increase of rent due to additions or alterations.

† This information should be given in application for eviction of tenants.

FORM 'B'

(See Rule 4)

Application to recover possession of accommodation.

Before.....Controller.

Name.....Applicant.

Versus

Name..... Respondent.

(1) Name, address, location, etc. of the hotel or lodging house/residential premises/non-residential premises

(2) Rates charged for lodging and other services

(3) Whether fair rate has already been fixed and if so, the date on which such rate was fixed and details of such fair rate.

(4) Other relevant information as to why recovery of possession from the building is asked for.

(Verification)

Place:

Date.

.....
Signature of applicant/recognised agent.

FORM 'C'

(See Rule 5)

Form of Rent Receipt and Counterfoil

Counterfoil

Serial No.

Name of the landlord.....

Address of the landlord.....

Received with thanks from.....a sum of Rs. (in figures)
.....(in words).....only
as payment of rent at Rs.....per.....for
the period.....for the premises.....
thisday of the month of.....in
the year.....

*Signature or thumb impression
of the landlord or authorised agent.*

*The rent charged includes—

(1) Rates, cesses and taxes of the local authority.

** (2) Electric charges.

** (3) Water charges.

** (4)

** (5)

*It does not include—

(1) Rates, cesses and taxes of the local authority.

(2) Electricity charges.

(3) Water charges.

(4)

(5)

*Strike out whatever is inapplicable.

**State the exact charges if possible.
Rent Receipt

Serial No.

Name of the landlord

Address of the landlord

Received with thanks from..... a sum of
Rs. (in figures)..... (in words).....
only as payment of rent at Rs..... per
..... for the period..... for the
premises..... this..... day of
the month of..... in the year.

.....
*Signature or thumb impression of the
landlord of authorised agent.*

*The rent charged includes—

(1) Rates, cesses and taxes of the local authority.

** (2) Electric charges.

** (3) Water charges.

** (4)

** (5)

*It does not include—

(1) Rates, cesses and taxes of the local authority.

(2) Electric charges.

(3) Water charges.

(4)

(5)

*Strike out whatever is inapplicable.

**State the exact charges if possible.

FORM 'D'

(See rule 6)

Application for deposit of rent

BeforeController

Name.....Petitioner.

Versus

Name.....Landlord.

(1) The premises for which the rent is deposited with a description sufficient for identifying the premises.

(2) Period for which the rent is deposited and the rate per month.

(3) The name and address of the landlord or the person or persons claiming to be entitled to such rent.

(4) The reasons and circumstances for which the application for depositing the rent is made.

(5) The amount of the rent deposited.

(6) Whether electricity, water charges, property tax, etc., are included in the rent and if so, particulars thereof.

(7) How the rent was tendered to the landlord whether in person or by postal money-order or by cheque etc. and whether it was refused by him in writing or otherwise.

(8) Whether there is a bonafide doubt as to the person or persons to whom the rent is payable and if so, why?

(9) Date on which the rent was last paid to the landlord and the receipt if any, obtained from him therefor.

(10) Any other relevant information.

The statements made above are true to the best of my knowledge and belief and I.....the applicant/recognised agent signed the application on the.....day of 19....

.....
Signature of the applicant/recognised agent.

By order,
P. K. MATTOO,
Secretary.

उप-नियन्त्रक, मुद्रण तथा लेखन-सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित